

The charges in the Criminal Information arose from a January 17, 2024, incident on the Fort Liberty military reservation. On March 22, 2024, the Defendant's Commander preferred nonjudicial punishment of driving while impaired (Art. 113) under the Uniform Code of Military Justice against the Defendant. Because the Defendant received punishment via Article 15 equal to or greater than that which she faces at this venue, the United States believes the interests of justice are adequately served by the military justice system. The United States respectfully asks this Honorable Court to dismiss Counts One and Two.

ARGUMENT

Rule 48(a), Federal Rules of Criminal Procedure, provides that "The government may, with leave of court, dismiss an indictment, information, or complaint." In the present case, the Court should grant the government's request for dismissal with prejudice, because a dismissal in this case would not be clearly contrary to manifest public interest, as the government's motion to dismiss is not made in bad faith. *See United States v. Goodson*, 204 F.3d 508, 512 (4th Cir. 2000). Furthermore, the Defendant has not been prejudiced by unnecessary delay.

CONCLUSION

For the foregoing reasons, the United States respectfully moves the Court for an Order dismissing Count One and Two of the Criminal Information in the above-referenced case with prejudice.

Respectfully submitted this 11th day of April, 2024.

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United States Attorney

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CERTIFICATE OF SERVICE

This is to certify that I have this 11th day of April, 2024, served a copy of the foregoing Government's Notice of Substitution of Counsel upon the defendant by electronically filing the foregoing with the Clerk of Court, using the CM/ECF system which will send notification of such filing to:

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